

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: :  
:   
Kourtney Rechelle Rieves, :  
: CHAPTER 7 CASE NO. 24-53486 - JRS  
Debtor, :  
:   
\_\_\_\_\_:   
:   
Kourtney Rechelle Rieves, :  
:   
Movant, :  
:   
vs. :  
:   
NR SN GEORGIA A, LLC & :  
Kyle Cooper as Chapter 7 Trustee, :  
:   
Respondents. :

**MOTION TO AVOID JUDICIAL LIEN**

COMES NOW, Kourtney Rechelle Rieves, and files this Motion to Avoid Judicial Lien and shows the Court as follows:

1.

Debtor commenced the above-styled case by filing a voluntary petition under Chapter 7 of Title 11, United States Code, on April 3, 2024 (the “Petition Date”).

2.

Respondent obtained a judgment against the Debtor on or about December 27, 2023 in the Magistrate Court of Gwinnett County, Georgia and the amount of the judgment lien on the Petition Date was \$19,000.00.

3.

Pursuant to 11 U.S.C. §522 and O.C.G.A. 44-13-100, Debtor properly claimed as exempt on Schedule C, including all allowed amendments to Schedule C, the following property:

Electronics, Household Goods, and Furnishings; Clothing and Shoes; Jewelry; Cash on Hand;

Other financial account: Account with Cash App; and 401(k): Retirement Account. (See Exhibit A).

4.

The value of each claimed exemption in the above-listed property is equal to or greater than the value of that property.

**WHEREFORE**, Debtor is entitled to entry of an Order avoiding Respondent's lien against the exempt property as set forth above.

Respectfully submitted,

**KING & KING LAW LLC**

/s/  
L.P. Powell, Attorney for Debtor  
GA Bar #103474  
215 Pryor Street  
Atlanta, GA 30303  
(404) 524-6400  
notices@kingkingllc.com

**EXHIBIT A**

**Fill in this information to identify your case:**

|   |                              |             |           |
|---|------------------------------|-------------|-----------|
| Debtor 1                                | Kourtney Rechelle Rieves     |             |           |
|   | First Name                   | Middle Name | Last Name |
| Debtor 2<br>(Spouse if, filing)         |                              |             |           |
|   | First Name                   | Middle Name | Last Name |
| United States Bankruptcy Court for the: | NORTHERN DISTRICT OF GEORGIA |             |           |
| Case number<br>(if known)               | 24-53486                     |             |           |

☐ Check if this is an amended filing
**Official Form 106C****Schedule C: The Property You Claim as Exempt**

4/22

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

**For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.**

**Part 1: Identify the Property You Claim as Exempt**

1. **Which set of exemptions are you claiming?** Check one only, even if your spouse is filing with you.

- ☒ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
- ☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. **For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.**

| Brief description of the property and line on <i>Schedule A/B</i> that lists this property | Current value of the portion you own<br><small>Copy the value from <i>Schedule A/B</i></small> | Amount of the exemption you claim<br><small>Check only one box for each exemption.</small>   | Specific laws that allow exemption |
|--|--|--|------------------------------------|
| Electronics, Household Goods, and Furnishings<br>Line from <i>Schedule A/B</i> : 6.1       | \$2,000.00   | <input checked="" type="checkbox"/> \$2,000.00<br><input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit | O.C.G.A. § 44-13-100(a)(4)         |
| Clothing and Shoes<br>Line from <i>Schedule A/B</i> : 11.1                                 | \$250.00   | <input checked="" type="checkbox"/> \$250.00<br><input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit   | O.C.G.A. § 44-13-100(a)(4)         |
| Jewelry<br>Line from <i>Schedule A/B</i> : 12.1  | \$75.00  | <input checked="" type="checkbox"/> \$75.00<br><input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit    | O.C.G.A. § 44-13-100(a)(5)         |
| Cash on Hand<br>Line from <i>Schedule A/B</i> : 16.1                                       | \$40.00  | <input checked="" type="checkbox"/> \$40.00<br><input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit    | O.C.G.A. § 44-13-100(a)(6)         |
| Other financial account: Account with Cash App<br>Line from <i>Schedule A/B</i> : 17.1     | \$47.00  | <input checked="" type="checkbox"/> \$47.00<br><input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit    | O.C.G.A. § 44-13-100(a)(6)         |

| Debtor 1 <u>Kourtney Rechelle Rieves</u>   |  | Case number (if known) <u>24-53486</u>  |                                    |
|--|--|---|------------------------------------|
| Brief description of the property and line on <i>Schedule A/B</i> that lists this property | Current value of the portion you own<br><small>Copy the value from <i>Schedule A/B</i></small> | Amount of the exemption you claim<br><small>Check only one box for each exemption.</small>  | Specific laws that allow exemption |
| 401(k): Retirement Account<br>Line from <i>Schedule A/B</i> : 21.1                         | <u>\$3,000.00</u>  | <input checked="" type="checkbox"/> <u>\$3,000.00</u><br><input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit | O.C.G.A. § 18-4-6(a)               |

3. **Are you claiming a homestead exemption of more than \$189,050?**  
 (Subject to adjustment on 4/01/25 and every 3 years after that for cases filed on or after the date of adjustment.)
- ☒ No
- ☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
- ☐ No
- ☐ Yes

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Kyle Cooper as Chapter 7 Trustee, :  
:   
Respondents. :

**NOTICE OF REQUIREMENT OF RESPONSE TO MOTION TO AVOID  
JUDICIAL LIEN ON EXEMPT PROPERTY AND OF TIME TO FILE SAME**

NOTICE IS HEREBY GIVEN that, on June 4, 2024, a Motion to Avoid Judicial Lien on Exempt Property pursuant to 11 U.S.C. § 522(f) was filed in this case.

NOTICE IS FURTHER GIVEN that, pursuant to BLR 6008-1(b), Respondent must file a response to the Motion within 21 days after service, and serve a copy of said response upon Movant. If no response is timely filed and served, the Motion will be deemed unopposed and the Bankruptcy Court may enter an order granting the relief sought.

Dated: June 4, 2024

**KING & KING LAW LLC**

By: /s/  
L.P. Powell, Attorney for Debtor  
GA Bar #103474  
215 Pryor Street  
Atlanta, GA 30303  
(404) 524-6400 / notices@kingkingllc.com

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**CERTIFICATE OF SERVICE**

I hereby certify that on the **4th** day of **June, 2024**, I electronically filed the foregoing **Motion to Avoid Judicial Lien** using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

Kyle Cooper  
120 Travertine Trail  
Alpharetta, GA 30022

I further certify that on this day I caused a copy of this document to be served via United States First Class Mail on the following parties at the address shown for each:

Kourtney Rechelle Rieves  
5773 Amerson Ln  
Ellenwood, GA 30294

NR SN GEORGIA A, LLC  
P.O. BOX 451027  
Atlanta, GA 31145

NR SN GEORGIA A, LLC  
c/o Corporation Service Company, Registered Agent  
2 Sun Court, Suite 400  
Peachtree Corner, GA 30092

**KING & KING LAW LLC**

By: /s/  
L.P. Powell, Attorney for Debtor  
GA Bar #103474  
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Atlanta, GA 30303  
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